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VIA ECF

Judge Alison J. Nathan
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007

Re: Netflix, Inc. v. Fortress Investment Group, LLC, 1:20-mc-00253-AJN (S.D.N.Y.)

Dear Judge Nathan:

I write on behalf of Movant Netflix, Inc. ("Netflix") to request that the Court lift the stay of above-referenced action. This is the second request for an adjustment of the schedule, including the request for a stay. The action was filed on July 20, 2020, and stayed on July 23, 2020, after the parties in the underlying action in the Central District of California believed that they had reached an agreement in principle to settle their dispute, and after Judge Wu in the Central District of California stayed the underlying action. However, the parties were unable to reach a final agreement on all material terms. The plaintiff in the underlying action, Uniloc 2017 LLC ("Uniloc"), filed a motion to enforce a purported settlement that it believed that the parties had reached. Yesterday, Judge Wu stated on the record that he would deny that motion and that the stay was lifted in the underlying action. As a result, there is no reason to delay discovery relating to Fortress, and Netflix requests that the stay of this motion also be lifted and that it be restored to the active calendar. Fortress does not oppose this request.

Counsel for Netflix and Fortress have conferred and request the following briefing schedule:

Fortress Response: January 22, 2021

Netflix Reply: January 29, 2021

Respectfully submitted,

/s/ Martin E. Gilmore

Martin E. Gilmore

cc: Elizabeth Day, Esq., counsel for Fortress and Uniloc (via email)